



# City Council Agenda

Council President  
**Tom Boyajian**

Councilmembers

**Brian Calhoun**  
**Brad Castillo**, Acting President  
**Mike Dages**

**Jerry Duncan**  
**Henry T. Perea**  
**Cynthia Sterling**

City Manager  
**Daniel G. Hobbs**

City Clerk  
**Rebecca E. Klisch , CMC**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**TUESDAY, MAY 20, 2003**

*If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)) The Council meeting can also be heard live at the same web site address.*

## **8:30 A.M. ROLL CALL**

Invocation by Reverend Father Arshen Aivazian of the St. Paul Armenian Church

Pledge of Allegiance to the Flag

Proclamation of "REFUGEE AWARENESS MONTH"

Proclamation of "NATIONAL EMPLOYEE HEALTH AND FITNESS DAY" - Mayor Autry

Proclamation of "FRESNO HIGH SCHOOL SENIORS DAY" - Council President Boyajian

Proclamation of "SBC, FRESNO COUNTY TRIAD, FRESNO POLICE DAY" - Councilmember Dages

## JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of April 29, 2003

### **Action Taken:**

- A. Consider actions relating to the approval and adoption of the Proposed Freeway 99-Golden State Corridor Boulevard Redevelopment Plan
1. **RESOLUTION** - Certifying Program Environmental Impact Report No. 03-01 with attachments:  
**(Council and Agency action)**
    - a. Statement and findings of potential adverse environmental effects and mitigation measures to lessen or avoid those effects
    - b. Statement and findings of unavoidable adverse effects
    - c. Findings on project alternatives
    - d. Statement of overriding considerations that the project benefits outweigh the unavoidable adverse effects
    - e. Mitigation monitoring checklist**Action Taken:**
  2. **RESOLUTION** - Approving and adopting the report to the City Council and authorizing submission to the Council **(Agency action)**  
**Action Taken:**
  3. **RESOLUTION** - Adopting findings that the use of the 20 Percent Low and Moderate Income Housing Set-Aside Funds outside the Freeway 99-Golden State Corridor Boulevard Redevelopment Project Area will be of benefit to the project area **(Council and Agency action)**  
**Action Taken:**
  4. \* **BILL** - Adopting the Redevelopment Plan for the Freeway 99-Golden State Corridor Boulevard Redevelopment Project **(Council action)**  
**Action Taken:**

### **ADJOURN AGENCY**

*Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.*

*The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.*

Approve minutes of May 13, 2003

**Action Taken:**

Councilmember Reports and Comments

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **CONSENT CALENDAR**

(Consent calendar items are considered to be routine and will be treated as one agenda item. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. The Consent Calendar will be enacted by one motion. There will be no separate discussion of these items unless requested, in which event the item will be removed from the Consent Calendar and considered at 2:00 P.M.

- A. **RESOLUTION** - Of consideration to alter services to be financed by Annexation 47 of City of Fresno Community Facilities District No. 2 - Public Works Dept.  
**Action Taken:**
- B. Approve temporary Burlington Northern & Santa Fe construction license for Palm Avenue bridge replacement - Public Works Dept.  
**Action Taken:**
- C. Approve agreement with Brooks Ransom Associates for professional design services - The Regional Wastewater Reclamation Facility (RWRF) - Public Works Dept.  
**Action Taken:**
- D. Ratify agreement regarding installation and use of high speed fiber optic cable and related infrastructure between the City of Fresno and Clovis Unified School District - Public Works Dept.  
**Action Taken:**
- E. **RESOLUTION** - Authorizing acceptance of grant award from the California Pollution Control Financing Authority for the Santa Fe Depot renovation project - Public Works Dept.  
**Action Taken:**
- F. **RESOLUTION** - Approve authorization to submit proposals and execute contracts for the California Department of Transportation "Safe Routes to School" Program - Public Works Dept.  
**Action Taken:**
- G. \* **RESOLUTION** - 14<sup>th</sup> amendment to PAR No. 2002-217 adding two (2) Police Cadet positions, deleting one (1) Programmer/Analyst position - Police Department  
**Action Taken:**

1. **GENERAL CONSENT CALENDAR CONTINUED**

- H. Adopt the Memorandum of Understanding (MOU) between the City of Fresno and the Amalgamated Transit Union, Local 1027 (ATU Unit 06), covering the period July 1, 2002 through June 30, 2004 - Personnel Services/Labor Relations Division  
**Action Taken:**  
1. \* **RESOLUTION** - 12<sup>th</sup> amendment to Salary Resolution No. 2002-219 reflecting the adoption of the Successor Labor Agreement  
**Action Taken:**
- I. Award a contract to Smith Construction of Fresno to construct well site improvements at Pump Station 47A - General Services Dept./Dept. of Public Utilities  
**Action Taken:**
- J. Reject all bids for well site improvements at Pump Station 13A, 27A, 53, 242 & 303 - General Services Dept./Dept. of Public Utilities  
**Action Taken:**
- K. \* **RESOLUTION** - 85<sup>th</sup> amendment to AAR No. 2002-216 appropriating \$152,900 in grant funds from the State of California Integrated Waste Management Board **(Requires 5 affirmative votes)** - Planning and Development Dept.  
**Action Taken:**  
1. \* **RESOLUTION** - 15<sup>th</sup> amendment to PAR No. 2002-217 for the Waste Tire Enforcement Program  
**Action Taken:**
- L. **RESOLUTION** - Authorizing application submission and contract execution for transit funds with the U.S. Department of Transportation - Federal Transit Administration (FTA) by the Transit General Manager on behalf of the City of Fresno - Fresno Area Express  
**Action Taken:**

**TIME SCHEDULED HEARINGS AND MATTERS**

- 9:30 A.M. Presentation and discussion of the Reason Foundation and Performance Institute's "Citizen Budget" aimed at improving the performance of government -- Councilmembers Calhoun and Duncan  
**Action Taken:**

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**10:00 A.M.**     **HEARING** to consider Rezone Application No. R-02-57 and environmental findings, filed by Robert Wood, for 10.0 acres of property located on the northeast corner of N. Cornelia and W. Bullard Avenues **(Property located in District 2)** - Planning and Development Dept.

**Action Taken:**

- a.     Consider and adopt the Mitigated Negative Declaration for Environmental Assessment No. R-02-57/C-02-291

**Action Taken:**

- b.     **BILL** - Amending the Official Zone Map to rezone the subject property from the AE-5/UGM (Exclusive Five-Acre Agricultural District/Urban Growth Management) zone district to the R-1/UGM (Single-Family Residential District/Urban Growth Management) zone district

**Action Taken:**

**10:05 A.M.**     Discussion, direction, and action regarding the request to endorse the following State Senate Bills pertaining to air quality: - Council President Boyajian

- 1. SB 700:     Repeal of the Agriculture Exemption
- 2. SB 701:     California Clean Air Bond Act of 2004
- 3. SB 703:     Revoking Diesel Demand Charges
- 4. SB 704:     Ag Waste at Biomass Facilities
- 5. SB 705:     Prohibit Burning of Ag Waste in San Joaquin Valley
- 6. SB 708:     Gross Polluting Vehicles
- 7. SB 709:     Expanded Authority of the San Joaquin Air District

**Action Taken:**

**10:15 A.M.**     **HEARING** to consider Rezone Application No. R-03-09 and environmental findings, filed by Lawrence Partners, pertaining to 13.4 acres of property located on the west side of N. Chestnut Avenue (alignment) between E. Copper and N. International Avenues **(Property located in District 6)** - Planning and Development Dept. **(Applicant requests to continue to June 3, 2003)**

**Action Taken:**

- a.     Consider and adopt Environmental Assessment No. R-03-09/C-03-29/T-5150, finding of conformance with 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

**Action Taken:**

- b.     **BILL** - Amending the Official Zone Map to rezone the subject property from the AL-20 (County) zone district to the R-1-C/UGM (Single-Family Residential District/Urban Growth Management) zone district

**Action Taken:**

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**10:20 A.M.**     **HEARING** to consider Rezone Application No. R-03-004 and environmental findings, filed by Alan D. Pirie, for 8.16 acres of property located at 7045 N. Maple Avenue (***Property located in District 6***) - Planning and Development Dept.

**Action Taken:**

- a.     Consider and adopt the Negative Declaration for Environmental Assessment No. R-03-04
- b.     **BILL** - Amending the Official Zone Map to rezone the subject property from the AE-5/UGM (Exclusive Five-Acre Agricultural District/Urban Growth Management) zone district to the C-P/UGM (Administrative and Professional Office District/Urban Growth Management) zone district

**Action Taken:**

**10:30 A.M.**     **HEARING** to consider adoption of:

- a.     **RESOLUTION** - Amending the Storm Drainage and Flood Control Master Plan and amending the drainage fees and costs for each local drainage area for all developments within the joint area of the City of Fresno, California and the Fresno Metropolitan Flood Control District

**Action Taken:**

- b.     \* **RESOLUTION** - Adopting the 408<sup>th</sup> amendment to MFS Resolution No. 80-420 to modify drainage fees for the Fresno Metropolitan Flood Control District

**Action Taken:**

**10:45 A.M.**     Presentation by Stan McDivitt, Retirement Administrator regarding impending City pension contribution requirements to the two (2) City of Fresno retirement systems and related impact to City budgets - Councilmember Duncan

**Action Taken:**

**11:00 A.M.**     Presentation to the Council of the Mayor's Fiscal Year 2003-2004 budget

**Action Taken:**

- a.     Schedule Council hearing dates for Fiscal Year 2003-2004 budget

**Action Taken:**

**NOON - 2:00 P.M.**     **RECESS**

**2:00 P.M. #1**     **ADOPT CONTESTED CONSENT ITEMS**

**2:00 P.M. #2**     **WATER STUDY SESSION**

**2.**     **GENERAL ADMINISTRATION**

- A.     \* **RESOLUTION** - 84th amendment to AAR No. 2002-216 appropriating \$100,000 for reimbursement to Risk Management for settlement of an R.J. Hill claim (***Requires 5 affirmative votes***) - Public Works Dept.

**Action Taken:**

3.

### **CITY COUNCIL**

- A. Report from staff on status of bid process on public relations for recycling program - Acting President Castillo  
**Action Taken:**
- B. Direct staff to modify the text of the Roosevelt Community Plan Policy No. 1-17.1 and 1-17.3 and change the Council District boundaries as appropriate - Councilmember Dages  
**Action Taken:**
1. Direct staff and City Attorney to revise appointment process for Roosevelt Community Plan Committee  
**Action Taken:**
- C. Consideration of adoption of revised City Council Economic Development proposal - Councilmember Calhoun
1. **RESOLUTION** - Declaring an "Unemployment State of Emergency" in the City of Fresno  
**Action Taken:**

4.

### **CLOSED SESSION**

- A. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS** - Government Code Section 54956.8  
**Property:** Central Valley Project (CVP) water supply contract (CVP contract) renewal  
**City Negotiators:** Public Utilities Director, Contract Counsel (Hatch & Parent), and City Attorney  
**Negotiating Parties:** Bureau of Reclamation (Department of Interior, U.S. Government)  
**Under Negotiation:** Long-term water supply contract from CVP  
**Action Taken:**
- B. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
1. **Case Name:** Medical Advocates for Healthy Air v. City of Fresno, Fresno City Council  
**Action Taken:**

5.

### **CLOSED SESSION ANNOUNCEMENTS**

**PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.**

6.

**Presentation limited to three (3) minutes**

- A. Scheduled communications
1. Appearance by John M. Cardot, Wild, Carter & Tipton, representing Diamond Sports Bar and Casino to discuss amending the Fresno Municipal Code relating to increasing the number of card tables per card room
2. Appearance by Irene Soto to discuss installation of a sidewalk between Harrison and Thorne Avenues along Herndon Avenue
- B. Unscheduled communication - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic

should contact the City Clerk Department at least 10 days prior to the desired date.

## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

**May 27 - NO MEETING - MEMORIAL DAY**

**June 3 - 10:00 A.M.** Parking - Councilmember Dages

**June 3 - 2:30 P.M.** **HEARING** re: CFD No. 2, Annexation No. 48, Tract No, 4701

**June 3 - 2:40 P.M.** **HEARING** re: CFD No. 2, Annexation No. 50, Tract No, 5123

**June 10 - 10:00 A.M.** **HEARING** re: Plan Amendment No. A-01-13, Rezone Application No. 02-16, filed by Krazan & Associates on behalf of Margaret Jensen

**June 10 - 10:10 A.M.** **HEARING** re: Plan Amendment No. A-01-14, Rezone Appl. No. R-01-17, filed by Krazan & Associates

**June 17- 10:00 A.M.** **HEARING** re: Community Facilities District No. 2, Annexation No. 51, Tract No. 4993

**June 17- 10:10 A.M.** **HEARING** re: Community Facilities District No. 2, Annexation No. 44, Tract No. 5071

**June 24- 10:00 A.M.** **HEARING** re: Community Facilities District No. 2 - change of services for Tract No. 5099 of Annexation No. 44

**July 1 - NO MEETING - COUNCIL VACATION**

**July 8- NO MEETING - COUNCIL VACATION**

**July 15- 10:00 A.M.** **HEARING** re: Community Facilities District No. 2, Annexation No. 49, Tract No. 4682

**July 15- 10:10 A.M.** **HEARING** re: Community Facilities District No. 2, Annexation No. 52, Tract No. 5110

**July 22 - 8:30 A.M.** **JOINT MEETING** with Madera County Board of Supervisors